IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Hans Loschner et al.)	
For: PARTICLE MULTIBEAM)	Group Art Unit: 2881
LITHOGRAPHY)	
)	Examiner: Anthony G. Quash
Serial No. 09/375,627)	
)	
Filed: August 17, 1999)	
)	
)	

PETITION TO REVIVE AN UNINTENTIONALLY
ABANDONED APPLICATION UNDER RULE 1.17(m)

To: Assistant Commissioner for Patents
       Alexandria Virginia 22313-1450

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OFFICE OF PETITIONS

Dear Sir:

Applicant through the undersigned attorney hereby petitions to revive this unintentionally abandoned application.

In support of this Petition applicants' attorney had filed an Amendment after Final Rejection on November 9, 2001 which was not processed right away because of (1) the extra mail processing and other delays due to 9/11 and (2) a secretary's mistake in placing a wrong serial no. on the Amendment after Final (09/375,267 instead of the correct no. 09/375,627).

Finally, the Amendment after Final was acted upon and an Advisory Action was issued on March 6, 2002 stating that the amendments to claim 1 would not be entered because they raised new issues requiring a new search.

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Applicants' attorney reported this Advisory Action to his Austrian Associate and recommend filing a Petition to Revive due to the delays in the processing of the Amendment after Final and filing a CPA or an RCE.

The Austrian associate reported the Advisory Action to the assignee who did not reply or provide any instructions to the Austrian associate. So, the Austrian associate advised applicants' attorney that apparently the applicants' assignee was not interested in filing a CPA or an RCE.

Applicant's attorney then closed his file on this matter.

Recently, applicant's assignee inquired of the Austrian Associate about this application and learned that it had gone abandoned.

In response to an inquiry by the Austrian associate about the report of the Advisory action to the assignee, it was learned that in the spring of last year, the assignee's computer system suffered a terrific break down or crash. A reconstruction of the lost data was only partially and often incorrectly recreated. In particular, the entry of a due date for responding to the Advisory Action was entered incorrectly in the computer system.

Also, at that time, the person at the assignee's office who was responsible for overseeing the assignee's patent matters fell seriously ill and this required a reorganization of the internal handling of the assignee's patent matters.

As a result, applicants' assignee lost track of this application until recently.

In the meantime, a Notice of Abandonment was mailed to applicants' attorney on June 4, 2002 and placed in applicant's attorney's file on this matter.

For the foregoing reasons applicants' submit that the delay in filing a CPA or RCE was unintentional from February 14, 2002, to the date of this petition.

Further, in support of this petition enclosed is a check in the amount of $1300.00 the fee due for a petition to revive an unintentionally abandoned application under rule 1.17(m) for a large entity.
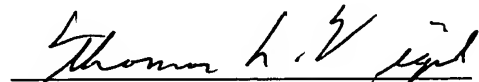
Also, enclosed is a Request for Continued Prosecution of the Application under Rule 153 (d), namely, a CPA..

In summary, applicant submits that the above information and enclosed documents and checks satisfy the requirements to revive this unintentionally abandoned application.

Accordingly, applicants request that the application be revived, that the CPA be entered and that the CPA then be forwarded to the Examiner for further examination.

Respectfully submitted,

June 30, 2003

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